

EXHIBIT C

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MICHAEL JOHNSON,

Plaintiff,

vs.

ON-SITE MANAGER, INC.,

Defendant.

Case No.: 5:15-CV-04409-BLF

**DEFENDANT ON-SITE MANAGER,
INC.'S RESPONSES TO REQUEST
FOR PRODUCTION, SET ONE**

**Complaint filed: September 23, 2015
First Amended**

**Complaint filed: January 5, 2016
Trial Date: January 8, 2018**

PROPOUNDING PARTY: PLAINTIFF MICHAEL JOHNSON

RESPONDING PARTY : DEFENDANT ON-SITE MANAGER, INC

SET NO. : ONE

REQUEST FOR PRODUCTION NO. 1:

All documents identifying whether Plaintiff's consumer file was mixed with that of any other consumer(s), as well as the date and reason why the files became mixed.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Vague and Ambiguous as to the term "mixed".

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court.

REQUEST FOR PRODUCTION NO. 2:

All documents identifying how the names of any individuals other than Plaintiff, and any address, aliases or other personal identifier related to these individuals, became incorporated into Plaintiff's Sterling consumer report.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Vague and Ambiguous as to the term "Sterling consumer report".

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court. Currently, On-Site has no documents responsive to this demand and does not know what a "Sterling consumer report" is.

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REQUEST FOR PRODUCTION NO. 3:

All documents identifying and/or referring to the matching criteria and/or the minimum identifying information (e.g., full name, full date of birth, full address, full social security number, etc.) that you require your customers, subscribers or third parties to provide before you sell a consumer report.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Vague and Ambiguous as to the term “minimum identifying information”.

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court.

REQUEST FOR PRODUCTION NO. 4:

All documents identifying and/or referring to the matching criteria and/or the minimum identifying information (e.g. full name, full date of birth, full address, full social security number, etc.) that you require for a consumer, such as Plaintiff, before you furnish that consumer with a copy of their file.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Vague and Ambiguous as to the term “minimum identifying information”.

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court.

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REQUEST FOR PRODUCTION NO. 5:

All documents referring to any computer-aided programming procedures, methods or protocols that you use or maintain to prevent the reoccurrence of mixed files.

RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; vague and ambiguous as to the term "mixed files."

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court, including the Data Suppression Algorithm, which is extremely proprietary.

REQUEST FOR PRODUCTION NO. 6:

All documents concerning the number of consumer complaints or communications that you had reported information that belonged to another consumer on their report or that you had reported information which was "mixed" with another person's file, for the previous five (5) years.

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; vague and ambiguous as to the term "mixed file." Responding Party responds that it would be a violation of the FCRA to respond to this request. 15 USC § 1681b expressly prohibits the disclosure of such information, as responses to discovery are not listed as a permissible purpose to release information from a third-party's consumer file.

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REQUEST FOR PRODUCTION NO. 7:

All documents concerning lawsuits brought against you for violating the FCRA in the previous five (5) years, including copied of the Complaints themselves.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Requested documents are equally available to Plaintiff; Request also calls for documents subject to protective orders and therefore Responding Party cannot comply; Unduly burdensome.

REQUEST FOR PRODUCTION NO. 8:

All documents identifying whether your current matching criteria is based, in whole or in part, on a belief that stricter matching criteria would result in lost sales or a decrease in profits, and any documentation to evidence that decrease or loss.

RESPONSE TO REQUEST FOR PRODUCTION NO. 8:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome.

However, without waiver of objection, no such documents exist in On-Site's possession, custody or control, as On-Site is a reseller of consumer information.

REQUEST FOR PRODUCTION NO. 9:

All documents concerning whether you mixed Plaintiff's file with that of another consumer or consumers.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information. However, without waiver of objection, Responding Party responds that to the best of its knowledge, no such documents exist because On-Site did not mix anyone's file.

REQUEST FOR PRODUCTION NO. 10:

All documents concerning when you first mixed Plaintiff's file.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information. However, without waiver of objection, Responding Party responds that to the best of its knowledge, no such documents exist because On-Site did not mix anyone's file.

REQUEST FOR PRODUCTION NO. 11:

All documents concerning why you did not effectively un-mix Plaintiff's file.

RESPONSE TO REQUEST FOR PRODUCTION NO. 11:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information. However, without waiver of objection, Responding Party responds that to the best of its knowledge, no such documents exist because On-Site did not mix anyone's file, nor does On-Site have a file on Plaintiff to mix.

REQUEST FOR PRODUCTION NO. 12:

All documents concerning your procedures to un-mix the files of two consumers which become mixed, or to correct the inaccurate reporting of one consumer's information on another report.

RESPONSE TO REQUEST FOR PRODUCTION NO. 12:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome.

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court.

REQUEST FOR PRODUCTION NO. 13:

All documents concerning whether it costs you any additional money to employ the computer-aided method of effectively preventing the recurrence of mixed files.

RESPONSE TO REQUEST FOR PRODUCTION NO. 13:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome.

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court.

REQUEST FOR PRODUCTION NO. 14:

All documents concerning whether you will sell a consumer report to a third party, subscriber or consumer if they only supply you with: (a) consumer name; and (b) address.

RESPONSE TO REQUEST FOR PRODUCTION NO. 14:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information. However, without waiver of objection, Responding Party responds that to the best of its knowledge, no such documents exist.

REQUEST FOR PRODUCTION NO. 15:

All documents concerning whether you will sell a consumer report to a third party, subscriber or customer if they only supply you with: (a) a potential match to the consumer's name; and (b) any address, present or past, of the consumer.

RESPONSE TO REQUEST FOR PRODUCTION NO. 15:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome.

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1 However, without waiver of objection, to the extent the requested documents
 2 exist, Responding Party will produce those documents relevant to the subject requests
 3 that are in its possession, custody or control pursuant to the issuance of a protective
 4 order by this Court.

5
 6 **REQUEST FOR PRODUCTION NO. 16:**

7 All documents concerning whether a third party subscriber must follow your
 8 matching rules in order to purchase a consumer report from you.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

10 **OBJECTION:** Unintelligible; Vague and ambiguous as to the term “matching
 11 rules”; Attorney Client Communication Privilege; Attorney Work Product Privilege;
 12 Trade Secret / Proprietary Information; Unduly burdensome.

13 However, without waiver of objection, to the extent the requested documents
 14 exist, Responding Party will produce those documents relevant to the subject requests
 15 that are in its possession, custody or control pursuant to the issuance of a protective
 16 order by this Court.

17
 18 **REQUEST FOR PRODUCTION NO. 17:**

19 All documents concerning the volume of consumer reports sold based upon the
 20 amount of identifying information about the consumer provided.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 17:**

22 **OBJECTION:** Vague and ambiguous as to the phrase “amount of identifying
 23 information”; Vague and ambiguous as to the phrase “volume of consumer reports”;
 24 Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade
 25 Secret / Proprietary Information; Unduly burdensome. Responding Party is therefore
 26 unable to respond.

27 ///

REQUEST FOR PRODUCTION NO. 18:

All documents concerning whether you expect to sell less consumer reports if you require subscribers to provide more identifying information about the consumer before the sale of the report.

RESPONSE TO REQUEST FOR PRODUCTION NO. 18:

OBJECTION: Vague and ambiguous as to the phrase "amount of identifying information"; Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome. Responding Party is therefore unable to respond.

REQUEST FOR PRODUCTION NO. 19:

All documents concerning whether a higher degree of consumer report accuracy is achieved if you require more precise matching of the consumer's full name, address, social security number, and date of birth.

RESPONSE TO REQUEST FOR PRODUCTION NO. 19:

OBJECTION: Vague and ambiguous as to the phrase "more precise matching"; Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome. Responding Party is therefore unable to respond.

REQUEST FOR PRODUCTION NO. 20:

All documents concerning whether mixing one's consumer file with that of another is harmful to both consumers.

RESPONSE TO REQUEST FOR PRODUCTION NO. 20:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information. However, without waiver of objection, Responding Party responds that to the best of its knowledge, no such documents exist.

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REQUEST FOR PRODUCTION NO. 21:

All name scans which in any way reference Plaintiff.

RESPONSE TO REQUEST FOR PRODUCTION NO. 21:

OBJECTION: Vague and ambiguous as to the term “name scan”; Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome. Responding Party is therefore unable to respond. This request would disclose information of other consumers and would require this responding party to violate 15 USC §1681b. As such, this Responding Party cannot comply with this request as a matter of law.

REQUEST FOR PRODUCTION NO. 22:

All combine audit logs or online combine audit logs, which in any way reference Plaintiff.

RESPONSE TO REQUEST FOR PRODUCTION NO. 22:

OBJECTION: Vague and ambiguous as to the term “combine audit log”; Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome. Responding Party is therefore unable to respond.

REQUEST FOR PRODUCTION NO. 23:

All of your invoices and/or invoice records referring to the cost of any consumer reports concerning the Plaintiff that you sold within the five (5) years preceding the filing of the Complaint.

RESPONSE TO REQUEST FOR PRODUCTION NO. 23:

OBJECTION: Unintelligible; Vague and ambiguous as to the term “cost”; Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome.

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1 However, without waiver of objection, to the extent the requested documents
 2 exist, Responding Party will produce those documents relevant to the subject requests
 3 that are in its possession, custody or control pursuant to the issuance of a protective
 4 order by this Court.

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 6 **REQUEST FOR PRODUCTION NO. 24:**

7 All documents or print screens that in any way reference Plaintiff, the events
 8 alleged in the Complaint, or Plaintiff's social security number.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 24:**

10 **OBJECTION:** Attorney Client Communication Privilege; Attorney Work
 11 Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome.

12 However, without waiver of objection, to the extent the requested documents
 13 exist, Responding Party will produce those documents relevant to the subject requests
 14 that are in its possession, custody or control pursuant to the issuance of a protective
 15 order by this Court.

16
 17 **REQUEST FOR PRODUCTION NO. 25:**

18 All documents or recorded statements prepared or obtained that in any way
 19 reference Plaintiff, Plaintiff's social security number, Plaintiff's true identity or any
 20 allegations or defenses asserted in this action.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 25:**

22 **OBJECTION:** Attorney Client Communication Privilege; Attorney Work
 23 Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome.

24 However, without waiver of objection, to the extent the requested documents
 25 exist, Responding Party will produce those documents relevant to the subject requests
 26 that are in its possession, custody or control pursuant to the issuance of a protective
 27 order by this Court.

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REQUEST FOR PRODUCTION NO. 26:

Copies of each and every document referencing communications between you and any entity which in any way references Plaintiff, Plaintiff's social security number or other identifiers or any allegation or defense asserted in this action.

RESPONSE TO REQUEST FOR PRODUCTION NO. 26:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome.

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court.

REQUEST FOR PRODUCTION NO. 27:

Copies of each and every liability policy issued to you, which may cover your alleged liability in this suit, including the declaration page and/or all endorsements.

RESPONSE TO REQUEST FOR PRODUCTION NO. 27:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome; Relevance.

REQUEST FOR PRODUCTION NO. 28:

All documents sent to Plaintiff by you.

RESPONSE TO REQUEST FOR PRODUCTION NO. 28:

OBJECTION: Equally available to Plaintiff.

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court.

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REQUEST FOR PRODUCTION NO. 29:

All documents sent to you by Plaintiff.

RESPONSE TO REQUEST FOR PRODUCTION NO. 29:

No such documents exist.

REQUEST FOR PRODUCTION NO. 30:

All documents relating or referring to any communications between you and Plaintiff.

RESPONSE TO REQUEST FOR PRODUCTION NO. 30:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome.

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court.

REQUEST FOR PRODUCTION NO. 31:

Copies of all your quarterly profit and loss statements for the past three (3) years.

RESPONSE TO REQUEST FOR PRODUCTION NO. 31:

OBJECTION: Irrelevant; Trade Secret / Proprietary Information; Unduly burdensome.

REQUEST FOR PRODUCTION NO. 32:

Copies of all your current balance sheets and financial statements, including any annual reports.

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RESPONSE TO REQUEST FOR PRODUCTION NO. 32:

OBJECTION: Irrelevant; Trade Secret / Proprietary Information; Unduly burdensome.

REQUEST FOR PRODUCTION NO. 33:

Copies of your income tax returns for the past three (3) years.

RESPONSE TO REQUEST FOR PRODUCTION NO. 33:

OBJECTION: Irrelevant; Trade Secret / Proprietary Information; Unduly burdensome.

REQUEST FOR PRODUCTION NO. 34:

All consumer report(s) which bear any identifier(s) associated with Plaintiff for the last three (3) years.

RESPONSE TO REQUEST FOR PRODUCTION NO. 34:

OBJECTION: Vague and Ambiguous as to the term "identifier(s)"; Trade Secret / Proprietary Information; Consumer Private Information; Harassing and Unduly burdensome.

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court.

REQUEST FOR PRODUCTION NO. 35:

All documents sent by you to any other person or entity concerning the Plaintiff within the past five (5) years.

RESPONSE TO REQUEST FOR PRODUCTION NO. 35:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome.

1 However, without waiver of objection, to the extent the requested documents
 2 exist, Responding Party will produce those documents relevant to the subject requests
 3 that are in its possession, custody or control pursuant to the issuance of a protective
 4 order by this Court.

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 6 **REQUEST FOR PRODUCTION NO. 36:**

7 All documents sent to you or received by you concerning the Plaintiff within the
 8 past five (5) years.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 36:**

10 **OBJECTION:** Attorney Client Communication Privilege; Attorney Work
 11 Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome.

12 However, without waiver of objection, to the extent the requested documents
 13 exist, Responding Party will produce those documents relevant to the subject requests
 14 that are in its possession, custody or control pursuant to the issuance of a protective
 15 order by this Court.

16
 17 **REQUEST FOR PRODUCTION NO. 37:**

18 All documents evidencing or including data concerning the names, addresses,
 19 telephone numbers, current employers and current whereabouts of each and every one
 20 of your employees who has communicated with the Plaintiff.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 37:**

22 **OBJECTION:** Attorney Client Communication Privilege; Attorney Work
 23 Product Privilege; Trade Secret / Proprietary Information; Overly Broad and Unduly
 24 Burdensome, Harassing; California Privacy Privilege.

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REQUEST FOR PRODUCTION NO. 38:

All audit trails of any and all document(s), data bases, consumer files, computer(s), or other data held by you which, in any degree, address or discuss the Plaintiff or any one of the Plaintiff's personal identifiers.

RESPONSE TO REQUEST FOR PRODUCTION NO. 38:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome; Vague and Ambiguous as to the term "audit trails".

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court.

REQUEST FOR PRODUCTION NO. 39:

All documents constituting your entire consumer file that in any way references Plaintiff or Plaintiff's personal identifiers.

RESPONSE TO REQUEST FOR PRODUCTION NO. 39:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome; Vague and Ambiguous as to the term "audit trails".

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court.

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REQUEST FOR PRODUCTION NO. 40:

All policy manuals, procedure manuals or other documents which address your policies and procedures for complying with any and all sections of the Fair Credit Reporting Act.

RESPONSE TO REQUEST FOR PRODUCTION NO. 40:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome; Seeks information beyond the scope.

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court.

REQUEST FOR PRODUCTION NO. 41:

All documents which you will or may use as exhibits in the trial of this case.

RESPONSE TO REQUEST FOR PRODUCTION NO. 41:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome; Improper request, as there is no category of document identified. Discovery is continuing.

REQUEST FOR PRODUCTION NO. 42:

All archived prints (whether stored digitally or in hard copy) of all internal disclosures generated as a result of the Plaintiff's dispute of accuracy in the Plaintiff's account.

RESPONSE TO REQUEST FOR PRODUCTION NO. 42:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome; Vague

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1 and ambiguous as to Plaintiff's dispute of the accuracy. Prior to the filing of the
 2 Complaint, no such documents exist of Plaintiff disputing the accuracy of the report.
 3 However, without waiver of objection, and to the extent any documents exist, Plaintiff
 4 will produce subject to a protective order issued by this Court.

5
 6 **REQUEST FOR PRODUCTION NO. 43:**

7 All papers, records and documents referred to in Plaintiff's First Set of Interrogatories
 8 Directed to Defendant.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 43:**

10 **OBJECTION:** Attorney Client Communication Privilege; Attorney Work
 11 Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome; Vague
 12 and ambiguous as to "referred to"; Improper request without a defined category of
 13 documents.

14
 15 **REQUEST FOR PRODUCTION NO. 44:**

16 All documents referenced in Defendant's Initial Disclosures.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 44:**

18 **OBJECTION:** Attorney Client Communication Privilege; Attorney Work
 19 Product Privilege; Trade Secret / Proprietary Information.

20 However, without waiver of objection, to the extent the requested documents
 21 exist, Responding Party will produce those documents relevant to the subject requests
 22 that are in its possession, custody or control pursuant to the issuance of a protective
 23 order by this Court.

24
 25 **REQUEST FOR PRODUCTION NO. 45:**

26 All documents referring to Defendant's policies and procedures pertaining to
 27 "legal disputes", or any disputes by an attorney, the attorney general's office, Better
 28 Business Bureau or any government office.

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RESPONSE TO REQUEST FOR PRODUCTION NO. 45:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome; Beyond the scope. This case is not a dispute case so the information requested is irrelevant.

REQUEST FOR PRODUCTION NO. 46:

All documents referring to the policies or procedures instituted by Defendant since the enactment of FACTA concerning compliance with FACTA.

RESPONSE TO REQUEST FOR PRODUCTION NO. 46:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome; Beyond the scope. Vague and ambiguous as to which sections of FACTA are at issue.

REQUEST FOR PRODUCTION NO. 47:

All documents received by or directed toward Defendant from the Federal Trade Commission or any other federal or state agency or department that relates to Defendant's compliance requirements under the FCRA.

RESPONSE TO REQUEST FOR PRODUCTION NO. 47:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information. However, without waiver of objection, Responding Party responds that to the best of its knowledge, no such documents exist.

REQUEST FOR PRODUCTION NO. 48:

Assuming that "mixed-file" means a consumer report for employment purposes which contains any information about a crime committed by a person other than the person who is the subject of the report, all e-mails in the previous 6 years concerning:

- a) The number of mixed files,
- b) Procedures designed to avoid mixed files,
- c) The numbers or captions of mixed file lawsuits that you received,
- d) The number of mixed file disputes that you received;
- e) Any other notice of mixed file that you have record of,
- f) All records and documents concerning a-e, above.

RESPONSE TO REQUEST FOR PRODUCTION NO. 48:

OBJECTION: Beyond the scope, this is not an employment case and criminal records are not at issue; Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; This request is intentionally harassing and has been propounded solely for the purpose of increasing litigation costs.

REQUEST FOR PRODUCTION NO. 49:

All transcripts of any of your employees or agents who testified concerning any allegedly inaccurate criminal records appearing upon a consumer report that you prepared for employment purposes over the previous 6 years.

RESPONSE TO REQUEST FOR PRODUCTION NO. 49:

OBJECTION: Beyond the scope, this is not an employment case and criminal records are not at issue; Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; This request is intentionally harassing and has been propounded solely for the purpose of increasing litigation costs.

REQUEST FOR PRODUCTION NO. 50:

Any document concerning the minimum identifying information (e.g., full name, full name, full date of birth, full address, full social security number, etc.) that you require that a third party provide to you before you sell a consumer's report to that third party, and any document concerning such identifying information actually provided to you by any third party for the previous 6 years concerning Plaintiff.

RESPONSE TO REQUEST FOR PRODUCTION NO. 50:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome.

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court.

REQUEST FOR PRODUCTION NO. 51:

Any document concerning the number of consumer disputes that you investigated as mixed file matters in each of the previous 6 years. (Assuming that "mixed-file" is used as defined in the Definitions and Instructions section of Plaintiff's First Set of Interrogatories).

RESPONSE TO REQUEST FOR PRODUCTION NO. 51:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome; Improperly seeks information regarding other consumers in violation of 15 USC § 1681b and violates their right to privacy.

REQUEST FOR PRODUCTION NO. 52:

The Complaints and Answers in every FCRA lawsuit involving a mixed file claim that you have defended in each of the previous ten (10) years. (Assuming that "mixed-file" is used as defined in the Definitions and Instructions section of the Plaintiff's First Set of Interrogatories).

RESPONSE TO REQUEST FOR PRODUCTION NO. 52:

OBJECTION: Equally available to Plaintiff; Harassing. In fact, most of the lawsuits that have ever been filed against Defendant have been filed by Plaintiff's counsel, who is already in possession of all such documents.

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REQUEST FOR PRODUCTION NO. 53:

Any document with any advice from Counsel that you will reply upon as a defense in this matter.

RESPONSE TO REQUEST FOR PRODUCTION NO. 53:

OBJECTION: Attorney Work Product Privilege; Attorney-Client Communication Privilege; Vague and ambiguous as to the term “reply”. Request is unintelligible and Responding Party cannot answer at this time.

REQUEST FOR PRODUCTION NO. 54:

Any document concerning any “objective reading” of the FCRA that you contend provides a defense for you in this matter.

RESPONSE TO REQUEST FOR PRODUCTION NO. 54:

OBJECTION: Attorney Work Product Privilege; Attorney-Client Communication Privilege.

REQUEST FOR PRODUCTION NO. 55:

Any documents concerning when you were put on notice that mixed files were a cause of inaccuracies on consumer reports. (Assuming that “mixed-file” is used as defined in the Definitions and Instructions section of Plaintiff’s First Set of Interrogatories).

RESPONSE TO REQUEST FOR PRODUCTION NO. 55:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome; Not limited in scope and time, or this case or Responding Party and essential applies to all consumer reports world wide; Assumes facts not in evidence.

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REQUEST FOR PRODUCTION NO. 56:

Any emails concerning your compliance with FCRA with respect to avoiding or allowing mixed files. (Assuming that “mixed file” is used as defined in the Definitions and Instructions section of the Plaintiff’s First Set of Interrogatories).

RESPONSE TO REQUEST FOR PRODUCTION NO. 56:

OBJECTION: Attorney Work Product Privilege; Attorney-Client Communication Privilege; Trade Secret / Proprietary Information; Vague and ambiguous as to the term “avoiding or allowing mixed files”.

REQUEST FOR PRODUCTION NO. 57:

All contracts between you and any third party who supplies criminal records information to you.

RESPONSE TO REQUEST FOR PRODUCTION NO. 57:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome; Beyond the scope of this case as criminal records are not at issue; Propounded solely for harassment purposes.

REQUEST FOR PRODUCTION NO. 58:

Any documents relating to the knowledge of every person who you list in your Initial Disclosures as said knowledge relates to the claims in this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 58:

OBJECTION: Attorney Client Communication Privilege; Attorney Work Product Privilege; Trade Secret / Proprietary Information.

However, without waiver of objection, to the extent the requested documents exist, Responding Party will produce those documents relevant to the subject requests that are in its possession, custody or control pursuant to the issuance of a protective order by this Court.

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1 **REQUEST FOR PRODUCTION NO. 59:**

2 Any documents relating to all admissions against interest that you allege were
3 made by Plaintiff at any time.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 59:**

5 **OBJECTION:** Attorney Client Communication Privilege; Attorney Work
6 Product Privilege; Trade Secret / Proprietary Information; Unduly burdensome.

7 However, without waiver of objection, to the extent the requested documents
8 exist, Responding Party will produce those documents relevant to the subject requests
9 that are in its possession, custody or control pursuant to the issuance of a protective
10 order by this Court.

11
12 **REQUEST FOR PRODUCTION NO. 60:**

13 Any documents relating to all evidence and other information that you rely upon
14 to support your defenses, and/or explain that the factual basis of each defense.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 60:**

16 **OBJECTION:** Attorney Work Product Privilege; Attorney-Client
17 Communication Privilege; Harassing, Unduly burdensome. Improper request Violation
18 of FRCP Rule 34(b)(1)(a).

19
20 August 30, 2016

21 **JACOBSON, RUSSELL, SALTZ,**
22 **NASSIM & DE LA TORRE, LLP**

23 By: 

24 Michael J. Saltz, Esq.

25 Attorneys for Defendant ON-SITE MANAGER
26
27
28

VERIFICATION

I have read the foregoing responses and know the contents therein. I am a party in the above-entitled action. I am informed and believe that the matters stated therein are true and on that ground certify or declare under penalty of perjury under the laws of the United States of America that the same are true and correct to the best of my knowledge.

Executed on August 30, 2016



Eric Bagart
V.P. of Corporate Development

JACOBSON, RUSSELL, SALTZ, NASSIM & DE LA TORRE, LLP
1880 Century Park East, Suite 900
Los Angeles, California 90067

PROOF OF SERVICE

My business address is 1880 Century Park East, Suite 900, Los Angeles, CA 90067. I am employed in the County of Los Angeles where this service occurs. I am over the age of 18 and am not a party to the within action. I am readily familiar with my employer's normal business practice for collection and processing of correspondence for mailing with the U.S. Postal Service, and that practice is that correspondence is deposited with the U.S. Postal Service the same day as the day of collection in the ordinary course of business.

On the date set forth below, following ordinary business practice, I enclosed a(n) ☐ true copy ☒ original of the following document(s) described as:

**DEFENDANT ON-SITE MANAGER, INC.'S RESPONSES TO
INTERROGATORIES, SET ONE**

☒ (VIA MAIL) I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at Los Angeles, California addressed as set forth below;

☐ (VIA OVERNIGHT DELIVERY) I caused such envelope(s) to be delivered to an overnight delivery carrier with delivery fees provided for, addressed as set forth below;

☐ (VIA ELECTRONIC MAIL) I caused such document(s) to be sent electronically as a .pdf file(s) to the electronic mail address set forth below;

Stephanie R. Tatar
TATAR LAW FIRM, APC
3500 West Olive Avenue, Suite 300
Burbank, CA 91505

Attorney for Plaintiff

Executed on August 30, 2016 at Los Angeles, California.

☒ (Federal) I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.


Annique Taylor

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